

TTAB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

IN RE: Application of)
Merrill Lynch & Co., Inc.)
SERIAL NO.: 76/192241)
MARK: AGT)
PUBLISHED: July 2, 2002)



10-02-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #77

CERTIFICATE OF MAILING
UNDER 37 C.F.R. § 1.8

THE UNDERSIGNED CERTIFIES THAT THIS DOCUMENT
IS BEING PLACED IN AN ENVELOPE ADDRESSED TO
BOX TTAB, NO FEE, COMMISSIONER FOR
TRADEMARKS, 2900 CRYSTAL DRIVE, ARLINGTON,
VIRGINIA 22202-3513, AND DEPOSITED AS FIRST CLASS
MAIL, POSTAGE PREPAID, THIS 30th DAY OF
SEPTEMBER, 2002.

Scot A. Duvall

TRADEMARK TRIAL AND
APPEAL BOARD
03 OCT 10 PM 9:44

THIRD REQUEST FOR EXTENSION OF TIME TO OPPOSE

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NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

AGF Management Limited ("Petitioner"), a corporation organized and existing under
the laws of Canada, by its attorneys, Scot A. Duvall and the law firm of Middleton
Reutlinger, 2500 Brown & Williamson Tower, Louisville, Kentucky 40202, (502)
584-1135, hereby petitions for an extension of time for the Petitioner to file a Notice of
Opposition to the above-identified mark for a period of thirty (30) days from September
30, 2002, to October 30, 2002.

Petitioner believes that it is likely to be damaged by registration of the mark and needs additional time to review the situation. Petitioner states that it has been engaging in efforts to address this situation and that there is good cause for the extension. Petitioner has discussed the matter by telephone with the office of counsel representing the Applicant and has apprised counsel of the communications between Canadian counsel for the parties (Applicant is a Canadian entity), insofar as the marks at issue present similar issues in Canada and the United States. Petitioner has conducted research regarding the nature of Applicant's use, is evaluating same, and is considering whether opposition proceedings may be necessary. This request is not interposed for delay.

This request is being submitted in triplicate as required by 37 C.F.R. §2.102(d).

Respectfully submitted,



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Dated: SEPTEMBER 30, 2002